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| FISH & RICHARDSON, P.C. PO BOX 1022 MINNEAPOLIS, MN 55440-1022 | | | ANTONIENKO, DEBRA L | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PATDOCTC@fr.com

Office Action Summary

Application No.

10/648,108

Applicant(s)

BHATT ET AL.

Examiner

DEBRA ANTONIENKO

Art Unit

3689

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 January 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 8-13, 15-22, 26-31 and 33-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 8-13, 15-22, 26-31 and 33-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This is a Final Office Action in response to communication received January 2, 2009, wherein:

Claims 1, 8, 15, 18, 19, 26, and 33 have been amended;

Claims 5-7, 14, 23-25, and 32 have been cancelled;

Claims 36 and 37 have been newly added; and

Claims 1-4, 8-13, 15-22, 26-31, 33-37 are pending.

Response to Amendment

2. Amendments to independent Claims 1 and 18 are not sufficient to overcome the 35 USC 101 rejection set forth in the previous Office Action. See below.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 1-18 and 36 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

In order for a method to be considered a "process" under §101, a claimed process must either: (1) be tied to another statutory class such as a particular machine that imposes meaningful limits on the method claim's scope or (2) transform underlying subject matter (such as an article or materials). See *Diamond v. Diehr*, 450 U.S. 175,

184 (1981); *Parker v. Flook*, 437 U.S. 584, 588 n.9 (1978); *Gottschalk v. Benson*, 409 U.S. 63, 70 (1972); *In re Bilski*, 545 F.3d 943, 88 USPQ2d 1385 (Fed. Cir. 2008). If neither of these requirements is met by the claim, the method is not a patent eligible process under §101 and is non-statutory subject matter. With respect to independent Claims 1 and 18, the claim language does not include the required tie or transformation and thus is directed to nonstatutory subject matter. Claims 2-17 and 36 are dependent and are rejected in a like manner.

A method claim must meet a specialized, limited meaning to qualify as a patent-eligible process claim. With respect to being tied to another statutory class, a particular machine must impose meaningful limits on the method claim's scope. Independent Claims 1 and 18 merely mention a computer in the preamble. The machine must be positively recited in the body of the claim showing its significant function in the invention. Therefore, the claim language does not include the required tie or transformation and thus is directed to nonstatutory subject matter.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. **Claims 1, 3, 4, 8-12, 15-19, 21, 22, 26-30, and 33-37** are rejected under 35 U.S.C. 102(b) as being unpatentable over Thompson et al., U.S. Patent Number 6,668,253 B1 (hereinafter Thompson).

Examiner's Note: The Examiner has pointed out particular references contained in the prior art of record within the body of this action for the convenience of the Applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply. Applicant, in preparing the response, should consider fully the entire reference as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Regarding Claims 1 and 19, Thompson teaches a computer-implemented method and computer-readable medium of providing object-based content to be reported in an external computer-implemented general reporting application, the method comprising: providing a repository of business database objects from which object instances are able to be generated, which business database objects each have one or more attributes for which applicable data are able to be provided for a generated object instance (column 2, lines 24-60; column 20, lines 41-53; column 32, line 37- column 33, line 55; it is implicit with object-oriented programming that object instances are generated and that the objects have attributes); receiving a user selection of one of the business database objects, wherein generated instances of the selected object have data for attributes of the object, and displaying a view of the one or more attributes associated with the selected business object (column 8, lines 15-22; Figures 5-7; selection of stock and then selection of max days, for example); displaying, within the view, a plurality of business objects each having associated attributes, wherein each of the business objects has a defined relationship to the selected business object, and displaying within the view at least some of the attributes for the plurality of related business objects (column 7, lines 12-14; Figures 7 and 25); items are selected from the

component view to put into the layout view); receiving a user selection of at least one of the displayed one or more attributes associated with the selected business object, and a user selection of at least one of the displayed attributes for the plurality of related business objects, and adding the selected attributes to a business content structure of selected attributes (column 8, lines 29-35 and lines 53-61; Figure 7); executing a query of records in a database and retrieving, for each of the records that meet the query, attribute data for each of the attributes in the business content structure (column 14, lines 9-19); and generating an output file that the external reporting application can use to generate the report, the report to include the business content structure and the attribute data associated therewith (Figures 12-14).

Regarding Claim 18, Thompson teaches a computer-implemented method of providing object-based content to be reported in an external general reporting application, the method comprising: receiving a user selection of a business database object having associated attributes, wherein generated instances of the selected object have data for the associated attributes, and displaying a view of the attributes associated with the selected business object (column 8, lines 15-22; Figures 5-7; selection of stock and then selection of max days, for example); displaying, within the view, a plurality of business objects each having associated attributes, wherein each of the business objects has a defined relationship to the selected business object, and displaying within the view at least some of the attributes for the plurality of related business objects (column 7, lines 12-14; Figures 7 and 25I; items are selected from the component view

to put into the layout view); receiving a user selection of at least one of the displayed attributes associated with the selected business object, and a user selection of at least one of the displayed attributes for the plurality of related business objects, and adding the selected attributes to a business content structure of selected attributes (column 8, lines 29-35 and lines 53-61; Figure 7); and persistently storing the business content structure in a database so that it can later be retrieved and used to generate an output file that the external reporting application can use to generate the report with current data (column 4, lines 56-59).

Regarding Claims 3, 8, 10 and 21, 26, 28, respectively, Thompson further teaches wherein the business content structure represents meta-data information (column 32, line 37 – column 33, lines 55).

Regarding Claims 4 and 22, Thompson further teaches displaying a view of a plurality of business content structures and receiving a user selection of one of the business content structures to be included in a report (column 8, lines 29-35; Figure 6).

Regarding Claims 9 and 27, Thompson further teaches defining a calculated field to be included in the business content structure, wherein the calculated field is associated with a function that takes one or more business object attributes as input, and uses a formula to compute a resultant value for the calculated field based on the input (column 7, lines 47-54; column 9, lines 34-44; subtotals).

Regarding Claims 11 and 29, Thompson does not explicitly teach wherein the resultant value is included in the output file. However, Thompson teaches calculation capabilities, subtotals (see Claims 9 and 27), as well as the capability to consolidate financial information. Also, Thompson discloses the use of third party product for use in reporting (column 30, lines 30-41; Figure 4; the subtotals or resultant values would be in the output file so that they can be used in the external reporting application).

Regarding Claims 12 and 30, Thompson further teaches persistently storing the business content structure in a database (column 4, lines 56-59).

Regarding Claims 15 and 33, Thompson further teaches wherein the database query is an SQL query that uses the concept of derived tables (column 14, lines 9-19).

Regarding Claims 16 and 34, Thompson does not explicitly teach wherein the output file is an ActiveX Data Object Recordset. However, Thompson discloses the invention operates on browsers with support for ActiveX controls (column 30, lines 49-54).

Regarding Claims 17 and 35, Thompson does not explicitly teach wherein generating the output file that the external reporting application can use to generate the report further comprises transferring the output file to a reporting-tool-specific interface component capable of plug-and-play interaction with the external reporting application.

However, Thompson discloses the use of MicroStrategy™ DSS Web (column 12, lines 45-59) which is known to employ plug-n-play components.

Regarding Claims 36 and 37, Thompson further teaches displaying a pictorial representation of the selected business object and one or more of the related business objects (Figures 5 and 7).

7. **Claims 2 and 20** are rejected under 35 U.S.C. 103(a) as being unpatentable over Thompson in view of SAMS Teach Yourself Microsoft Access 2000 (hereinafter referred to as Access).

Regarding Claims 2 and 20, Thompson does not explicitly teach wherein a business content design wizard assists in defining the business content structure. However, Access discloses creating databases and tables with a wizard (pages 201-214). Wizards are well known in the art. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the Thompson invention to incorporate wizards in order to provide an efficient and user-friendly way to create databases and tables.

8. **Claims 13 and 31** are rejected under 35 U.S.C. 103(a) as being unpatentable over Thompson in view of Bata et al., U.S. Patent Number 6,901,403 B1 (hereinafter referred to as Bata).

Regarding Claims 13 and 31, Thompson does not explicitly teach wherein the business content structure is stored as an XML document in the database, and wherein the business content structure attributes correspond to tags in the XML document. However, Bata teaches the use of XML in the representation of data (Figure 9). It would have been obvious to one of ordinary skill in the art at the time of the invention for Thompson to incorporate XML into the invention as the XML format is well known for being conducive to capturing the structure of data for network functionality.

Response to Arguments

9. Applicant's arguments with respect to Claims 1-35 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DEBRA ANTONIENKO whose telephone number is (571)270-3601. The examiner can normally be reached on Monday through Thursday, 7:30 AM to 4:00 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Janice Mooneyham can be reached on 571-272-6805. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DA

/Tan Dean D. Nguyen/
Primary Examiner, Art Unit 3689
3/28/09